

currently no actions pending against the continued registration of this chemical.

Based on the above information considered by the Agency, the tolerance established by amending 40 CFR 180.408 would protect the public health. Therefore, it is proposed that the tolerance be established as set forth below.

And person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this document in the **Federal Register** that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control number [PP 8E3605/P456]. All written comments filed in response to this petition will be available in the Information Services Section, at the address given above from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

#### List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Recording and recordkeeping requirements.

Dated: July 11, 1988.

**Edwin F. Tinsworth,**

*Director, Registration Division, Office of Pesticide Programs.*

Therefore, it is proposed that 40 CFR Part 180 be amended as follows:

#### PART 180—[AMENDED]

1. The authority citation for Part 180 continues to read as follows:

**Authority:** 21 U.S.C. 346a.

2. Section 180.408 is amended by adding a new paragraph (c) to read as follows:

#### § 180.408 Metaxyl; tolerances for residues.

\* \* \* \* \*

(c) Tolerances with regional registration (refer to § 180.1(n)) are established for the combined residues of the fungicide metaxyl [N-(2,6-dimethylphenyl)-N-(methoxyacetyl) alanine methyl ester] and its metabolites containing the 2,6-dimethylaniline moiety, and N-(2-hydroxy methyl-6-methyl)-N-(methoxyacetyl)-alanine methylester, each expressed as metaxyl, in or on the following raw agricultural commodity:

Commodity	Parts per million
Papaya.....	0.1

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**BILLING CODE 6560-50-M**

#### 40 CFR Part 300

[FRL-3406-4]

#### National Priorities List for Uncontrolled Hazardous Waste Sites; Deletion of a Site

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of intent to delete sites; request for comments.

**SUMMARY:** Since the Environmental Protection Agency (EPA) has determined that all appropriate response actions have been implemented at the Matthews Electroplating Site it announces its intent to delete the site from the National Priorities List (NPL) and requests public comment. The NPL is Appendix B to the National Oil and Hazardous Substances Contingency Plan (NCP), which the EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended by SARA. For deletion of this site EPA will accept and evaluate comments before making the final decision to delete.

**DATE:** Comments may be submitted on or before August 19, 1988.

**ADDRESSES:** Comments may be mailed to Paul H. Leonard, Remedial Project Manager, Superfund Branch (3HW24), Environmental Protection Agency, 841 Chestnut Street, Philadelphia, PA 19107.

Background information on the site may be obtained from:

EPA Deletion Docket, Superfund Branch (3HW24), U.S. Environmental Protection Agency, 841 Chestnut Street, Philadelphia, PA 19107, Attn: Paul Leonard, (215) 597-8257, Hours: 8 a.m. to 4 p.m.

Local Deletion Docket, Salem Public Library, 28 East Main Street, Salem, VA 24153, (703) 375-3089, Hours: Monday to Thursday 9 a.m. to 8 p.m.; Friday and Saturday, 9 a.m. to 5 p.m.; Sunday 2 p.m. to 5 p.m.

**FOR FURTHER INFORMATION CONTACT:** Paul Leonard, USEPA (215) 597-8257.

#### SUPPLEMENTARY INFORMATION:

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#### I. Introduction

The Environmental Protection Agency (EPA), announces its intent to delete a site from the National Priorities List (NPL), Appendix B, of the National Oil and Hazardous Substances Contingency Plan (NCP), and requests comments on this deletion. The EPA identifies sites that appear to present a significant risk to human health or the environment and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Fund (Trust Fund) financed remedial actions. Any sites deleted from the NPL remain eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action.

EPA plans to delete the Matthews Electroplating Site in Roanoke County, Virginia, from the NPL.

The EPA will accept comments on this site for thirty days after publication of this notice in the **Federal Register**.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that the EPA is using for this action and those that the Agency is considering using for future site deletions. Section IV discusses the Matthews Site and explains how the site meets the deletion criteria.

#### II. NPL Deletion Criteria

Amendments to the NCP published in the **Federal Register** on November 20, 1985 (50 FR 47912) establish the criteria the agency uses to delete sites from the NPL. Section 300.66(c)(7) of the NCP provides that:

"Sites may be deleted from or recategorized on the NPL where no further response is appropriate. In making this

determination, EPA will consider whether any of the following criteria have been met."

(i) EPA in consultation with the State, has determined that responsible or other parties have implemented all appropriate response actions required;

(ii) All appropriate Fund-financed response under CERCLA has been implemented, and EPA, in consultation with the State, has determined that no further cleanup by responsible parties is appropriate; or

(iii) Based on a remedial investigation, EPA, in consultation with the State has determined that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Before deciding to delete a site EPA will make a determination that the remedy or decision that no remedy is necessary, is protective of human health and environment, consistent with section 121(d) of the Superfund Amendments and Reauthorization Act (SARA) of 1986.

Deletion of a site from the NPL does not preclude eligibility for subsequent Fund-financed actions if future conditions warrant such action. Section 300.68(c)(8) of the NCP states that Fund-financed actions may be taken at sites that have been deleted from the NPL.

### III. Deletion Procedures

Deletion of sites from the NPL does not itself create, alter, or revoke any individual rights or obligations. The NPL is designed primarily for informational purposes and to assist Agency management. As mentioned in Section II of this notice, § 300.66(c)(8) of the NCP states that deletion of a site from the NPL does not preclude eligibility for future Fund-financed response actions.

For deletion of this site EPA's Regional Office will accept and evaluate public comments before making the final decision to delete. Comments from the local community surrounding the site are likely to be the most pertinent to deletion decisions.

A deletion occurs when the Assistant Administrator for Solid Waste and Emergency response places a notice in the **Federal Register**, and the NPL will reflect those deletions in the next final update. Public notices and copies of the Responsiveness Summary will be made available to local residents by the Regional Office.

### IV. Basis for Intended Site Deletions

The following site summary provides the Agency's rationale for intending to delete this site from the NPL.

Matthews Electroplating Site,  
Roanoke County, VA.

The Matthews Electroplating site is a 1.7 acre site located in Roanoke County, Virginia. From 1972 to 1977, the two-building site operated as an auto bumped repair and replating facility. Local ground water was contaminated by chromium from the facilities process wastes. In 1975 the Virginia State Water Control Board issued orders to the owners of the site to cease and desist further discharging of process wastes to the ground or water. Shortly thereafter the owners declared bankruptcy and stopped operations.

To control, the flow of rain water and storm run-off through the contaminated areas, the new owners performed some surface clean-up and a clay cover was placed over a small area of the site where wastes had been discharged.

Based on the ground water and soil contamination, the site was proposed for inclusion on the NPL in October, 1981 and promulgated in September, 1983. EPA conducted a Remedial Investigation and Feasibility Study 1982 to 1983. After reviewing the results of this investigation, construction of a waterline extension from a nearby municipal water distribution system was approved to eliminate the risk to nearby residents by ingesting contaminated drinking water. Approximately 30 homes are being served by the new system. Since the levels for chromium were expected to decrease naturally a ground water remedy was deferred at that time to assess the extent of the contaminant plume and whether further remedial actions were necessary.

The design of the new system was completed in 1984 and construction began in early 1985. Construction was completed and inspected in January, 1986. Following the completion of the waterline extension the EPA conducted post remediation sampling for both ground water and soil contamination. The results of these tests showed the level of chromium to have decreased to a point where it no longer posed a significant threat to public health or the environment. As a final measure several open drums were removed and two tanks were evacuated. Based on this action and prior response activities, EPA and the State of Virginia have determined that no further remedial measures are necessary or appropriate. The State of Virginia has agreed to conduct a post-deletion monitoring of the ground water. The Roanoke County Health Department has assured EPA that the installation of new wells in the area of the site would not be permitted.

Date: July 5, 1988.

**Stanley L. Laskowaki,**

*Acting Regional Administrator.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 69

[CC Docket No. 88-326; FCC 88-202]

### Access Tariff Filing Schedules

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking revising access tariff filing schedules.

**SUMMARY:** The proposed rules would revise and consolidate existing schedules for local telephone companies to file amended rates for the access they provide to long distance companies, and for long distance companies to amend the rates they charge telephone subscribers. The current rules provide for three separate filings within a four-month period, and a fourth nine months later. This would be burdensome to the companies and confusing to subscribers. The proposed consolidation is intended to reduce the burdens for companies and the number of rate changes for subscribers.

**DATES:** Comments shall be due not later than July 22, 1988 and reply comments shall be due not later than August 5, 1988.

**ADDRESS:** Federal Communications Commission, Secretary's Office, 1919 M Street NW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Dan Grosh, Tariff Division, Common Carrier Bureau (202) 632-6387.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rulemaking adopted June 20, 1988 and released June 21, 1988. The full text of this Notice may be obtained from the Commission's contract copier, International Transcription Service, Inc. (ITS), Room 246, 1919 M Street NW., Washington, DC 20554. The full text is also on file and available for public inspection in the Tariff Division, Common Carrier Bureau, Room 518, 1919 M Street NW.

### Summary of Notice of Proposed Rulemaking

Under our current Rules, local telephone companies would be required to prepare and file three major revisions of their interstate access tariffs to be effective within a four-month period